

**BUSINESS REPORT**  
**MONTANA SENATE**  
**62nd LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Monday, March 14, 2011  
**Place:** Capitol

**Time:** 9:00 AM  
**Room:** 303

**BILLS and RESOLUTIONS HEARD:**

HB 18 - Vehicular homicide under the influence - minor prosecuted as adult  
HB 95 - Gen revise MT Human Rights Act-Indian preference-subpoenas-attorney fees

**EXECUTIVE ACTION TAKEN:**

HB 456-BE CONCURRED IN  
HB 374-BE CONCURRED IN  
HB 95 BE CONCURRED IN AS AMENDED  
HB 161-BE CONCURRED IN AS AMENDED (motion failed 6-6 tie vote)

**Comments:**

  
\_\_\_\_\_  
SEN. Terry Murphy, Chair

# MONTANA STATE SENATE

## ROLL CALL

### 2011 JUDICIARY COMMITTEE

DATE: 3 / 14 / 11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, TERRY MURPHY	/	
VICE CHAIRMAN, JIM SHOCKLEY	/	
SENATOR JEFF ESSMANN	/	
SENATOR SHANNON AUGARE	/	
SENATOR ANDERS BLEWETT	/	
SENATOR GREG HINKLE	/	
SENATOR ROWLIE HUTTON	/	
SENATOR LARRY JENT		
SENATOR CLIFF LARSEN	/	
SENATOR LYNDA MOSS	/	
SENATOR JIM PETERSON	/	
SENATOR CHAS VINCENT	/	



## SENATE STANDING COMMITTEE REPORT

March 14, 2011

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 374** (third reading copy -- blue) be concurred in.

Signed:   
Senator Terry Murphy, Chair

To be carried by Senator Cliff Larsen

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

HB0374001SC06471.sdr

Handwritten initials, possibly "ML", in the bottom right corner.



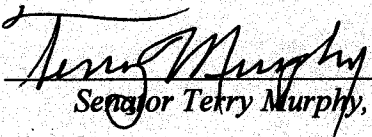
## SENATE STANDING COMMITTEE REPORT

March 14, 2011

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 95** (third reading copy -- blue) be concurred in as amended.

Signed:   
Senator Terry Murphy, Chair

To be carried by Senator Jim Shockley

And, that such amendments read:

1. Page 3, line 4.

**Following:** "enterprise"

**Insert:** "required by a contract or other agreement"

- END -

**Committee Vote:**

**Yes 12, No 0**

**Fiscal Note Required** \_\_

HB0095001SC00415.sdr



**SENATE STANDING COMMITTEE REPORT**

**March 14, 2011**

**Page 1 of 1**

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 456** (third reading copy -- blue) be concurred in.

Signed:   
Senator Terry Murphy, Chair

To be carried by Senator Edward Walker

- END -

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required ☐

HB0456001SC08057.sdr

DB

# BILL TIED VOTE REPORT

Committee: SENATE JUDICIARY

took executive action today, 3/14/11,

and the following bill(s) received a tie vote in committee:

**BILL NO. (Sponsor Name)**

HB 161

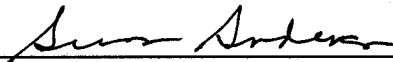
**VOTE COUNT**

6-6

\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(Secretary)

  
(For the Secretary of the Senate)

12:20 / 3-14-11  
Time Date

\_\_\_\_\_  
(Phone)

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 <sup>48</sup> BILL NO 574 MOTION NO. 1

MOTION: Be Concurred In (Larsen)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	—		
SENATOR LYNDIA MOSS	—		
SENATOR CHAS VINCENT	—		
SENATOR LARRY JENT	—		—
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	<del>—</del>		
SENATOR JEFF ESSMANN	—		
CHAIRMAN MURPHY	—		

12/0

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 BILL NO HB 95 MOTION NO. 2

MOTION: amendment (concey - Essmann)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	—		
SENATOR LYNDY MOSS	—		
SENATOR CHAS VINCENT	—		
SENATOR LARRY JENT	—		—
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	—		
SENATOR JEFF ESSMANN	—		
CHAIRMAN MURPHY	—		

12/0



# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 <sup>H.B.</sup> BILL NO. 456 MOTION NO. 1

MOTION: Be Concurred In (Walker)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	—		
SENATOR LYNDY MOSS		—	
SENATOR CHAS VINCENT	—		
SENATOR LARRY JENT		—	
SENATOR ANDERS BLEWETT		—	
SENATOR SHANNON AUGARE		—	
SENATOR CLIFF LARSEN		—	
SENATOR ROWLIE HUTTON	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	—		
SENATOR JEFF ESSMANN	—		
CHAIRMAN MURPHY	—		

7/5

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 BILL NO. HB 95 MOTION NO. 3

MOTION: Be Concurred in the Senate (Shockley)

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	/		
SENATOR LYNDIA MOSS	/		
SENATOR CHAS VINCENT	/		
SENATOR LARRY JENT	/		/
SENATOR ANDERS BLEWETT	-		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	-		
SENATOR JEFF ESSMANN	/		
CHAIRMAN MURPHY	-		

12/0

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 BILL NO HB 161 MOTION NO. 1 *Shockley*

MOTION: amendment (conceptual)  
*effective upon passage: approval effective 7/1/11*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	/		
SENATOR LYNDIA MOSS	/		
SENATOR CHAS VINCENT	/		
SENATOR LARRY JENT	/		
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	/		
SENATOR JEFF ESSMANN	/		
CHAIRMAN MURPHY	/		

12/0

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2011 JUDICIARY COMMITTEE

DATE 3/14/11 BILL NO. HB 161 MOTION NO. 3

MOTION: Recessed in accordance

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	<u>—</u>		
SENATOR LYNDIA MOSS		<u>—</u>	
SENATOR CHAS VINCENT		<u>—</u>	
SENATOR LARRY JENT	<u>—</u>		
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR SHANNON AUGARE		<u>—</u>	
SENATOR CLIFF LARSEN		<u>—</u>	
SENATOR ROWLIE HUTTON	<u>—</u>		
SENATOR JIM PETERSON	<u>—</u>		
VICE CHAIRMAN SHOCKLEY	<u>—</u>		
SENATOR JEFF ESSMANN	<u>—</u>		
CHAIRMAN MURPHY		<u>—</u>	

6/6

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Larry Jent, request to be excused from the  
**Judiciary COMMITTEE**  
due to my other commitment. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

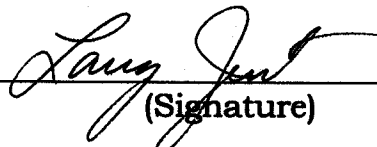
AYE NO

2/21/11		
SB 368 - Dotass	X	
SB 368 - REV: TALE		X
SB 304 - Dotass	X	
SB 336 - PROSIDER		
the PREN. MOTION	X	
SB 336 - Dotass	X	
3/14/11		
HB 374 - Beloncuah	X	
HB 95 - Beloncuah	X	
HB 95 - Beloncuah	X	

BILL/AMENDMENT

AYE NO


Sen.

  
(Signature)

Date

**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE JUDICIARY COMMITTEE**

**Monday, March 14, 2011**

**HB 18 - Vehicular homicide under the influence - minor prosecuted as adult**

**Sponsor: Representative Janna Taylor**

**PLEASE PRINT**

Name	Representing	Support	Oppose
Mike Tooley	MHR / RST	X	
RAT Mischel	SELF		X
MARK MURPHY	MCAA	X	
Jim Smika	Shifts	X	
<del>John Michael Johnson</del>	<del>SELF</del>		<del>X</del>

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

**SENATE JUDICIARY COMMITTEE**

**Sponsor: Representative Walter McNutt**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**